

ORDINANCE NO. 2003- 013

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
3 AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED
4 LAND DEVELOPMENT CODE OF PALM BEACH COUNTY,
5 FLORIDA, AS FOLLOWS: AMENDING ARTICLE 15,
6 TRAFFIC PERFORMANCE STANDARDS; AMENDING
7 INTENT AND AUTHORITY; AMENDING DEFINITIONS;
8 AMENDING APPLICABILITY; AMENDING THE
9 STANDARD; AMENDING TRAFFIC IMPACT STUDIES;
10 AMENDING MODELING OF TRIPS; AMENDING
11 PROCEDURE; PROVIDING FOR INTERPRETATION OF
12 CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN
13 CONFLICT; PROVIDING FOR SEVERABILITY;
14 PROVIDING FOR INCLUSION IN THE UNIFIED LAND
15 DEVELOPMENT CODE; AND PROVIDING FOR AN
16 EFFECTIVE DATE.

17 **WHEREAS**, Chapter 125, Florida Statutes, establishes the right and power of
18 Counties to provide for the health, welfare, and safety of the existing and future residents by enacting
19 and enforcing land development and administrative regulations necessary for the protection of the
20 public; and

21 **WHEREAS**, Palm Beach County Ordinance No. 92-20 provided for the adoption of
22 the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida
23 Statutes, to further growth management requirements; and

24 **WHEREAS**, Chapters 125 and 163, Florida Statutes, grant authority to the Board of
25 County Commissioners to adopt and enforce land development regulations within the unincorporated
26 areas of Palm Beach County; and

27 **WHEREAS**, pursuant to its authority established in its Home Rule Charter, the Board
28 of County Commissioners is authorized to adopt and enforce countywide certain land development
29 regulations concerning traffic performance standards, which is included in the Unified Land
30 Development Code; and

31 **WHEREAS**, the Board of County Commissioners has mandated that County staff
32 conduct periodic reviews of the Unified Land Development Code to evaluate its various positions
33 and to propose amendments to resolve new or outstanding issues, and to comply with the
34 Comprehensive Plan, state statutes, and Federal law; and

1 **WHEREAS**, the Citizens Task Force, sitting as the Land Development Regulation
2 Commission, has determined that this amendment is consistent with the Comprehensive Plan; and

3 **WHEREAS**, the Board of County Commissioners has determined that it is in the best
4 interest of the public welfare to amend the Unified Land Development Code as herein provided.

5 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
6 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

7 **Section 1.** Unified Land Development Code, Article 15, Traffic Performance Standards, is
8 hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by
9 reference.

10 **Section 2. Captions:** The captions, section headings, and section designations used in this
11 Ordinance are intended for the convenience of the users only and shall have no effect in the
12 interpretation of the provisions of this Ordinance.

13 **Section 3. Repeal of laws in conflict:** All local laws and ordinances applying to Palm Beach
14 County or any municipalities within the County in conflict with any provision of this Ordinance are
15 hereby repealed to the extent of any conflict.

16 **Section 4. Severability:** If any section, paragraph, sentence, clause, phrase, or word of this
17 Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional,
18 inoperative or void, such holding shall not affect the remainder of this Ordinance.

19 **Section 5. Inclusion in the Unified Land Development Code:** The provisions of this
20 Ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach
21 County, Florida. Textual references to the effective date of this Ordinance may be replaced with the
22 actual date this Ordinance takes effect. The sections of the Ordinance may be renumbered or
23 relettered to accomplish such and the word "Ordinance" may be changed to "section," "article," or
24 any other appropriate word.

25 **Section 6. Effective date:** The provisions of this Ordinance shall become effective March 31,
26 2003, or upon filing with the Department of State, whichever is later.

1 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm

2 Beach County, on the 11 day of March , 2003.

3 PALM BEACH COUNTY, FLORIDA,
4 BY ITS BOARD OF COUNTY COMMISSIONERS

5 DOROTHY H. WILKEN, CLERK
6 Board of County Commissioners

7 By Linda C. Hickman
8 DEPUTY CLERK

9 By Karen T. Marcus
10 Karen T. Marcus, Chair

11 APPROVED AS TO FORM
12 AND LEGAL SUFFICIENCY

13 Leonard Byrnes
14 COUNTY ATTORNEY

15 **EFFECTIVE DATE:** Filed with the Department of State on this 14 day of
16 March , 2003.

3 STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on March 11, 2003 .
DATED at West Palm Beach, FL on 4/3/03 .
DOROTHY H. WILKEN, Clerk
By: Nanci Brown D.C.